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2	Colin C. Holley (CA 191999) WATT, TIEDER, HOFFAR & FITZGERALD, L. 2040 Main Street, Suite 300	L.P.
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5	Email: jkearl@watttieder.com cholley@watttieder.com	
6	Attorneys for Creditor Barnard Pipeline, Inc.	
7	AND ALL ALL ALL ALL ALL ALL ALL ALL ALL AL	DANIZDI IDECV. COLIDE
8		BANKRUPTCY COURT
		TRICT OF CALIFORNIA CISCO DIVISION
9	SAN FRAN	CISCO DIVISION
10	In re:	Bankruptcy Case
11	PG&E CORPORATION,	Case No. 19-30088 (DM) Chapter 11
12	-and-	(Lead Case)
13	PACIFIC GAS AND ELECTRIC	(Jointly Administered)
	COMPANY,	
14	Debtors.	
15	☐ Affects PG&E Corporation	NOTICE OF CONTINUED PERFECTION
16	☐ Affects Pacific Gas and Electric Company	OF MECHANICS LIEN PURSUANT TO 11 U.S.C. § 546(b)(2)
17	✓ Affects both Debtors	Sacramento County (Lien 201901250417)
18	* All papers shall be filed in the Lead Case, No. 19-30088 (DM)	
19	110.15 2000 (213)	
20		
21	Barnard Pipeline, Inc. ("Barnard"), b	y and through its undersigned counsel, hereby gives
22	notice of continued perfection of its mechanic	cs lien under 11 U.S.C. § 546(b)(2), as follows:
23	Barnard has provided and deli	vered labor, services, equipment, and/or materials for
24	the construction and improvements of proje	ects located in the County of Sacramento, State of
25	California (the "Property"), the legal descrip	tion for which is set forth in the Claim of Mechanics
26	Lien, a true copy of which is attached hereto	as Exhibit A (the "Mechanics Lien").
27	2. The Property is owned by F	PG&E Corporation and/or Pacific Gas and Electric
28	Company (collectively, the "Debtors"), which	h filed voluntary petitions for relief under Chapter 11

Watt, Tieder, Hoffar & NOTICE OF CONTINUED PERFECTION OF MECHANICS LIEN FITZGERALD, L. L.P. Attorneys at L Case: 19-30088 Doc# 1408 Filed: 04/15/19 Entered: 04/15/19 12:08:16 Page 1 of 46(b)(2) IRVINE

of Title 11 of the United States Code (the "<u>Bankruptcy Code</u>") on January 29, 2019 (the "<u>Petition Date</u>").

- 3. On January 25, 2019, before the Petition Date, Barnard properly and timely recorded its Mechanics Lien under California Civil Code § 8400, et seq. in the Official Records of Sacramento County, State of California.
- 4. Through January 25, 2019, the amount owing to Barnard subject to its Mechanics Lien is at least \$725,224.98, exclusive of accruing interest and other charges, and additional amounts which have continued and are continuing, to accrue after the Petition Date.
 - 5. California Civil Code § 8460(a) provides that:

The claimant shall commence an action to enforce a lien within 90 days after recordation of the claim of lien. If the claimant does not commence an action to enforce the lien within that time, the claim of lien expires and is unenforceable[.]

- 6. Pursuant to California Civil Code § 8460, an action to enforce a lien must be commenced within 90 days after recordation of the claim of lien. However, section 362 of the Bankruptcy Code automatically stays Barnard from filing a state court action to enforce its mechanics lien. See 11 U.S.C. § 362.
 - 7. Section 546(b)(2) of the Bankruptcy Code provides that when applicable law

... requires seizure of such property or commencement of an action to accomplish such perfection, or maintenance or continuation of perfection of an interest in property; and ... such property has not been seized or such an action has not been commenced before the date of the filing of the petition; such interest in such property shall be perfected, or perfection of such interest shall be maintained or continued, by giving notice within the time fixed by such law for such seizure or such commencement.

See 11 U.S.C. § 362; see also Village Nurseries v. Gould (In re Baldwin Builders), 232 B.R. 406, 410-11 (9th Cir. 1999); Village Nurseries v. Greenbaum, 101 Cal.App.4th 26, 41 (Cal. Ct. App. 2002).

8. Accordingly, Barnard hereby provides notice of its rights as a lienholder in the Property pursuant to California's mechanics lien law. Barnard is filing and serving this notice to perfect, preserve, maintain, and continue the perfection of its lien and its rights in the Property to

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comply with the requirements of California state law, 11 U.S.C. §§ 362(a), 362(b)(3), and 546(b)(2), and any other applicable law. This notice constitutes the legal equivalent of having recorded a mechanics lien in the recorder's office for the county where the Property is located and then having commenced an action to foreclose the lien in the proper court. By this notice, the Debtors and other parties in interest are estopped from claiming that the lawsuit to enforce Barnard's mechanics lien was not timely commenced pursuant to applicable state law. Barnard intends to enforce its lien rights to the fullest extent permitted by applicable law. The interests, perfected, maintained, or continued by 11 U.S.C. § 546(b)(2) extend in and to the proceeds, products, offspring, rents, or profits of the Property.

- 9. The filing of this notice shall not be construed as an admission that such filing is required under the Bankruptcy Code, the California mechanics lien law, or any other applicable law. In addition, Barnard does not make any admission of fact or law, and Barnard asserts that its lien is senior to and effective against entities that may have acquired rights or interests in the Property previously.
- 10. The filing of this notice shall not be deemed to be a waiver of Barnard's right to seek relief from the automatic stay to foreclose its mechanics lien and/or a waiver of any other rights or defenses.
 - 11. Barnard reserves all rights, including the right to amend or supplement this notice.

Dated: April _____, 2019

WATT, TIEDER, HOFFAR & FITZGERALD, L.L.P.

By:

Jane G. Kear (CA/156560)

Colin C. Holley (CA 191999) 2040 Main Street, Suite 300

Irvine, CA 92614

Telephone: 949-852-6700 Facsimile: 949-261-0771

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cholley@watttieder.com

Attorneys for Creditor Barnard Pipeline, Inc.

ATTORNEYS AT LAW
IRVINE

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Filed: 04/15/19

CERTIFICATE OF SERVICE

I hereby certify that on April ______ 2019, I caused a copy of the foregoing Notice of Continued Perfection of Mechanics Lien Pursuant to 11 U.S.C. § 546(b)(2) to be sent via e-mail and/or first-class mail to the parties identified in the Master Core/2002 Service List attached hereto as Exhibit B.

Jane G. Kearl

WATT, TIEDER,
HOFFAR &
FITZGERALD, L.J. P.

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Kecording requested by: Barnard Pipeline, Inc.

And when recorded mail this document to:

Jane G. Kearl, Esq. Robert C. Shaia, Esq. Watt, Tieder, Hoffar & Fitzgerald, LLP 2040 Main Street, Suite 300 Irvine, CA 92614



Sacramento County Donna Allred, Clerk/Recorder

Doc # **201901250417**1/25/2019 11:43:48 AM

JBS Titles 1 Pages 3 Fees \$101.00
Taxes \$0.00
PCOR \$0.00
Paid \$101.00

For recorder's use

MECHANICS' LIEN (Cal. Civ. Code § 8416, et seq.)

1. BARNARD PIPELINE, INC. ("Claimant") claims a mechanics lien for the labor, services, equipment, and/or materials described in paragraph 2, furnished for a work of improvement on that certain real property located in the City of Sacramento, County of Sacramento, State of California, and more particularly described as:

All right, title and interest of Pacific Gas and Electric Company ("PG&E") in the Valve Station located 5821 Antelope Rd, Sacramento, California, and all appurtenances and easements related thereto, including specifically, without limitation, all improvements, structures, and pipelines in or on which Claimant provided labor, services, equipment, and/or materials as set forth in paragraph 2.

- 2. After deducting all just credits and offsets, the sum of \$725,224.98 together with interest at the rate of 10% per annum from January 22, 2019, is due Claimant for the following: labor, services, equipment, and/or materials for hydrostatic testing of existing high pressure natural gas pipeline and replacing a high pressure valve, and related construction work performed under the Alliance Agreement Contract between Claimant and PG&E and Contract Work Authorization No. C5980, or as otherwise requested by PG&E.
- 3. Claimant furnished the labor, services, equipment, and/or materials at the request of: PG&E.
- 4. The name and address of the owner(s) or reputed owner(s) of the real property is/are: PG&E, 77 Beale Street, 32nd Floor, San Francisco, CA 94105.

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5. Claimant's address is: 701 Gold Avenue, Bozeman, MT 59715.

Dated January 22, 2019

BARNARD PIPELINE, INC.

VERIFICATION

I, Zach Bowler, am the Vice President of Claimant on the foregoing Mechanics Lien and am authorized to make this verification for and on its behalf. I have read the foregoing Mechanics Lien and know the contents of the Mechanics Lien to be true of my own knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated January 22, 2019

Zach Bowler Vice President

NOTICE OF MECHANICS LIEN

ATTENTION!

Upon the recording of the enclosed MECHANICS LIEN with the county recorder's office of the county where the property is located, your property is subject to the filing of a legal action seeking a court-ordered foreclosure sale of the real property on which the lien has been recorded. That legal action must be filed with the court no later than 90 days after the date the mechanics lien is recorded.

The party identified in the enclosed mechanics lien may have provided labor or materials for improvements to your property and may not have been paid for these items. You are receiving this notice because it is a required step in filing a mechanics lien foreclosure action against your property. The foreclosure action will seek a sale of your property in order to pay for unpaid labor, materials, or improvements provided to your property. This may affect your ability to borrow against, refinance, or sell the property until the mechanics lien is released.

BECAUSE THE LIEN AFFECTS YOUR PROPERTY, YOU MAY WISH TO SPEAK WITH YOUR CONTRACTOR IMMEDIATELY, OR CONTACT AN ATTORNEY, OR FOR MORE INFORMATION ON MECHANICS LIENS GO TO THE CONTRACTORS STATE LICENSE BOARD WEB SITE AT www.cslb.ca.gov.

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PROOF OF SERVICE

I, Julie Benton, declare:

ATTORNEYS (CTASTE: 19-30088)

I am employed in the County of Orange, State of California. I am over the age of 18 years and not a party to the within action. My business address is 2040 Main Street, Suite 300, Irvine, California 92614-6232.

On January 23, 2019, I served \square the originals \boxtimes true copies of the following document(s) described as MECHANICS LIEN and NOTICE OF MECHANICS' LIEN on the interested parties in this action, by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, the United States mail at Irvine, California addressed as set forth below:

Pacific Gas & Electric Company (PG&E) 77 Beale Street, 32nd Floor San Francisco, CA 94105

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 23, 2019, at Irvine, California.

Julie Benton

WATT, TIEDER, HOFFAR & FITZGERALD, L.L.P.

PROOF OF SERVICE

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Entered: 04/15/19 12:08:16

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619-342-9600			213-627-6342	214-981-9339	415-765-9501	310-229-1001		212-872-1002	949-315-3540	212-484-3990		213-629-7401	213-629-7401	212-836-8689	832-213-0157	415-703-5480	510-622-2270	213-897-2802		310-820-8859					615-744-5544		424-204-4350		410-361-8930			213-625-1832	415-513-5985	302-442-7012	312-767-9192	949-313-50	949-313-5029
619-531-8700	661-665-5791		213-688-9500	214-720-4300	415-765-9500	310-229-1000		212-872-1000	949-748-1000	212.484.3900	2000 101 200	213-629-7400	213-629-7400	212-836-8000	908-234-3318	415-510-3367	510-879-0815	213-269-6326	562-889-0182	310-442-8875		415-542-8730	214-953-6500	415-291-6200	615-726-5544	504-566-5292; 504-566-5200	424-204-4353		302-252-4428	646-855-2464	214-521-3605	213-621-4000	415-513-5980	302-442-7010	A15.650.7924	949-474-1880	949-474-1880
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Attn: E. Elliot Adler, Geoffrey E. Marr, Brittany S. Zummer		Attn: Ron A. Symm	- 1	Attn: JOHN E, MITCHELL and YELENA ARCHIYAN	Attn: Ashley Vinson Crawford			Attn: Michael S. Stamer, Ira S. Dizengoff, David H. Botter	n T. Higgins,		Brownstein, Jordana L. Renert		Attn: Aram Ordubegian	Attn: Brian Lohan, Esq., Steven	Atto: James W. Grudus, Esq.	Attn: XAVIER BECERRA, DANETTE	Attn: XAVIER BECERRA, MARGARITA	Attn: XAVIER BECERRA, MARGARITA PADILLA, and JAMES POTTER	OSSWOOD BOND	Authorities and an annual firm	Attn: Eric E. Sagerman, Lauren T. Attard	Attn: Robert A. Julian, Cecily A. Dumas	Attn: C. tuckey McDowell, lan E. Roberts. Kevin Chiu	Attn: Navi S. Ohillon	Attn: John H. Rowland	er, Jan M.	ian D. Huben	raig Solomon Ganz, Michael S.		Attn: Matthew G. Summers Attn: John McCusker	oho Fiske	Attn: Terry L. Higham, Thomas E. McCurain, Christopher D. Higashi	Attn: Matthew D. Metzger	Attn: Kevin M. Capuzzi, Michael J.		Attn: Krista M. Enns Attn: Craig S. Simon	
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702	702 Harrisburg PA 17121	717-787-7627	717-787-7671 ra-fi-ucts-bankrupt@state.pa.us
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			mdanko@dankolaw.com kmeredith@dankolaw.com
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Suite 2500	500 Los Angeles CA 90017-5704	213-623-9300	Z13-523-5924 join.moe@oemons.com
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loc Committee of Unsecured Tort			Total Assessed of the Court	Suden 400 Month Tourist	loc Appalac	٩	90067-470A	310-595-3000	310-595-3300	eric koldberg@dlapiper.com
oc Committee of Unsecured Tort	DLA PIPER LLP (US)	Attn: Enc Goldberg, David Alley	COOR SAGINGE OF THE STREET	200		5				
Claimant Reditors	DLA PIPER LLP (US)	Actn: Joshua D. Morse	555 Mission Street	Sulte 2400	San Francisco	5	94105-2933	415-836-2500	415-836-2501	joshua.morse@dlapiper.com
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and Heather Blowers Counsel for Honevwell International Inc. and Elster	ILLP	Attn: Steven M. Campora	333 South Grand Avenue,		Sac amento	5				_
American Weter Company, LLC	Dykema Gossett LLP	Attn: Gregory K. Jones	Suite 2100		tos Angeles	গ্ৰ	90071	213-457-1800	213-457-1850	-
Counsel @East Bay Community Energy Authority		Attn: Leah S. Goldberg	1111 Broadway	3rd Floor	Dakland	ð	94607	510-838-5266		goldberg@ebce.org
Counsel OpEDP Renewables North America LLC, Rising Tree Wind Farm II LLC, and Arlington Wind Power				200	othica	<u> </u>	27002	713-265-0350	713-265-0365	Leslie.Freiman@edpr.com Randy.Sawyer@edpr.com
	EDP Renewables North America LLC	Attn: Sally J. Elkington, James A.	808 Iravis	onite 700	nonsnou	<	7007			1
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Counsel of reditor and Party-in-Interest Sonoma Clean Power Authority	Engel Law, P.C.	Attn: G. Larry Engel	12116 Horseshoe Lane		Nevada City	ర	94123			larry@engeladvice.com
tegulatory Commission	Federal Energy Regulatory Commission	Attn: General Counsel	888 First St NE		Washington	DC	20426			
	FELDERSTEIN FITZGERALD	Attn: STEVEN H. FELDERSTEIN and	Model Legisland	Culto 1750	Carramento	2	95814	916-329-7400	916-329-7435	- 100
Counsel te California State Agencies	WILLOUGHBY & PASCULA LLP	Attac Conhen D Electrons	456 Montenmen St	20th FL	San Francisco	3	94104	415-421-2624	415-398-2820	-
Aggreko, MCE Corporation, Nor-Cal Pipeline Services,	בווינטינונג נופליני בייני	Jennifer C.		100	100	5	94104	415-421-2624; 415-616-0466; 415-481-5481		
and Roekonen Contracting Inc.	Finestone Hayes LLP	Hayes Attn: Erika L. Morabito, Brittany J.	3000 K Street, NW, Suite	ZODII LIDOZ	One in the control of	5				-
Counsel for Michels Corporation	FOLEY & LARDNER LLP	- 1	009		Washington	ä	20007-5109	202-672-5300	R656-714-707	one south to the south
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